

**MEMORANDUM**

To: Dublin City Council  
Marsha Grigsby, City Manager  
Anne Clark, Clerk of Council

From: Stephen J. Smith  
Jennifer D. Readler  
Yazan S. Ashrawi

Date: March 20, 2014

Re: Dewey's Pizza - Application for D1 and D2 Liquor Permits

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**I. INTRODUCTION**

The City of Dublin recently received a Notice to Legislative Authority ("Notice") from the Ohio Division of Liquor Control regarding AED Enterprises, LLC DBA Dewey's Pizza ("Dewey's"). Dewey's is applying for a TREX transfer for class D1 and D2 liquor permits. A TREX transfer allows for the transfer of location, or the transfer of ownership and location, of a liquor permit from a municipal corporation to an economic development project located in another municipal corporation in which no additional permits of that class may be issued to the applicant under the permit quota. Dublin has received this Notice pursuant to R.C. 4303.26 because Dewey's proposed location for the permit premises will be located within the corporate limits of Dublin. As such, Dublin may request a hearing regarding the advisability of the issuance, transfer of ownership, or transfer of location of the permit.

**II. BACKGROUND**

Dewey's is a domestic limited liability company that is actively registered with the Ohio Secretary of State. The address designated for the permit premises is 6510-6570 Perimeter Dr., Dublin, Ohio 43017, which is located on Perimeter Drive just west of Avery-Muirfield Drive. Dewey's is seeking to obtain a D1 and D2 liquor permit; the D1 permit will be transferred from Super Subby's, Inc. DBA Super Subby's, located in Kettering, Ohio, and the D2 permit will be transferred from another Dewey's located in Dayton, Ohio. Super Subby's, Inc. is a domestic for-profit corporation actively registered with the Ohio Secretary of State. The transfer applications for both permits are currently pending before the Ohio Division of Liquor Control ("Division").

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According to the Division's records, Dewey's does not have any history of violating Ohio liquor permit laws. If approved, Dewey's will inherit a D1 liquor permit from Supper Subby's, Inc. and a D2 liquor permit from another Dewey's location.

**RECOMMENDATION**

It would appear that it is unnecessary to request a hearing in this matter. Dewey's does not have any history of violating Ohio liquor permit law and it complied with all the requirements for a TREX transfer. Furthermore, Dewey's notified Dublin of the requested transfer and the City acknowledged that the proposed location is part of an economic development project. Regardless of whether Dublin desires to request a hearing, the Notice must be signed and returned to the Ohio Division of Liquor Control by April 18, 2014.

NOTICE TO LEGISLATIVE  
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

00661240110			TREX	AED ENTERPRISES LLC DBA DEWEYS PIZZA 6510-6570 PERIMETER DR DUBLIN OH 43017
PERMIT NUMBER			TYPE	
06	01	2013		
ISSUE DATE				
03	14	2014		
FILING DATE				
D1				
PERMIT CLASSES				
25	066	B	F11676	
TAX DISTRICT			RECEIPT NO.	

FROM 03/18/2014

87005730050				SUPER SUBBYS INC DBA SUPER SUBBYS 1831 E STROOP RD KETTERING OH 45429
PERMIT NUMBER			TYPE	
06	01	2013		
ISSUE DATE				
03	14	2014		
FILING DATE				
D1				
PERMIT CLASSES				
57	088			
TAX DISTRICT			RECEIPT NO.	



MAILED 03/18/2014

RESPONSES MUST BE POSTMARKED NO LATER THAN. 04/18/2014

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **B TREX 0066124-0110**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF DUBLIN CITY COUNCIL  
5200 EMERALD PARKWAY  
DUBLIN OHIO 43017

## SECTION 3

## LLC DATA VERIFICATION

AED ENTERPRISES LLC

PERMIT # 0066124-0065

RENEWAL YEAR 2014-2015

MANAGING MEMBERS, PERSONS HOLDING 5% OR GREATER MEMBERSHIP OR VOTING INTEREST IN A LLC.	LAST FOUR DIGITS OF SOCIAL SECURITY #	INTEREST	OFFICE HELD
A E DEWITT HOLDINGS LLC JOSEPH SCHLOTMAN ANDREW E DEWITT MARGARET D GOOD WILLIAM O DEWITT III KATHARINE D KERN	*****7907 *****2885 *****8167 *****4502 *****1542 *****5458	5%VOT5%MEM NONMB5%V5%MEM NONMB5%V5%MEM 5%VOT5%MEM 5%VOT5%MEM 5%VOT5%MEM	CEO CEO CEO CEO CEO

IF INFORMATION LISTED ABOVE IS NOT ACCURATE, PLEASE INDICATE CHANGES BELOW.

MANAGING MEMBERS, PERSONS HOLDING 5% OR GREATER MEMBERSHIP OR VOTING INTEREST IN A LLC.	SOCIAL SECURITY #	INTEREST	OFFICE HELD	BIRTHDATE
		Managing Member		
		Voting interest ____ %		
		Membership interest ____ %		
		Managing Member		
		Voting interest ____ %		
		Membership interest ____ %		
		Managing Member		
		Voting interest ____ %		
		Membership interest ____ %		
		Managing Member		
		Voting interest ____ %		
		Membership interest ____ %		
		Managing Member		
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		Membership interest ____ %		

EOE/ADA SERVICE PROVIDER  
FOR TTY USERS, DIAL ORS 1-800-750-0750

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AUTHORITY

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REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

00661240110		TREX	AED ENTERPRISES LLC DBA DEWEYS PIZZA 6510-6570 PERIMETER DR DUBLIN OH 43017
PERMIT NUMBER		TYPE	
06	01	2013	
ISSUE DATE			
03	14	2014	
FILING DATE			
D2			
PERMIT CLASSES			
25	066	B	F11675
TAX DISTRICT		RECEIPT NO.	

FROM 03/18/2014

00661240025			AED ENTERPRISES LLC DBA DEWEYS PIZZA 131 JASPER ST DAYTON OHIO 45409
PERMIT NUMBER		TYPE	
06	01	2013	
ISSUE DATE			
03	14	2014	
FILING DATE			
D2			
PERMIT CLASSES			
57	044		
TAX DISTRICT		RECEIPT NO.	



MAILED 03/18/2014

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**B TREX 0066124-0110**

(TRANSACTION & NUMBER)

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CLERK OF DUBLIN CITY COUNCIL  
5200 EMERALD PARKWAY  
DUBLIN OHIO 43017

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		Membership interest ____ %		
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		Voting interest ____ %		
		Membership interest ____ %		

EOE/ADA SERVICE PROVIDER  
FOR TTY USERS, DIAL ORS 1-800-750-0750

D8      \$500      ORC 4303.184 Sale of tasting samples of beer, wine, and mixed beverages, but not spirituous liquor, at retail, for consumption on premises.

## Restaurant / Night Club

Permit Class	Permit Fee	Description
D1	\$376	<u>ORC 4303.13</u> Beer only for on premises consumption or in original sealed containers for carry out only until 1:00am.
D2	\$564	<u>ORC 4303.14</u> Wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00am.
D2X	\$376	<u>ORC 4303.141</u> (Grandfathered Permit) Beer only for on premises consumption or in original sealed containers for carryout only until 1:00am.
D3	\$750	<u>ORC 4303.15</u> Spirituous liquor for on premises consumption only until 1:00am.
D3X	\$300	<u>ORC 4303.151</u> (Grandfathered Permit) Wine only for on premises consumption or in original sealed containers for carryout only until 1:00am.
D3A	\$938	<u>ORC 4303.16</u> Extend issued permit privileges until 2:30am.
D5	\$2,344	<u>ORC 4303.18</u> Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am.
D5I	\$2,344	<u>ORC 4303.181</u> (Same as D5). Restaurant meeting certain criteria.
D7	\$469	<u>ORC 4303.183</u> (Same as D5). RESORT area only.

## Club

Permit Class	Permit Fee	Description
D4	\$469	<u>ORC 4303.17</u> Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am.
D4A	\$750	<u>ORC 4303.171</u> Airline club only - Beer and any intoxicating to members and guests until 2:00am.
D5C	\$1,563	<u>ORC 4303.181</u> (Same as D5.)(This class can no longer be applied for.)
D5D	\$2,344	<u>ORC 4303.181</u> (Same as D5) located at airport.

## Hotel And Motel

Permit Class	Permit Fee	Description
D5A	\$2,344	<u>ORC 4303.181</u> (Same as D5) for hotel or motel with 50 or more rooms for transient guests.

## Enclosed Shopping Mall